



Trinity 1-8 Mining Operation Shasta-Trinity National Forest Draft Scoping Report

Volume 1 Scoping Report and Appendices A-E

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I. Introduction

Federal agencies such as the USDA Forest Service (FS) must comply with the National Environmental Policy Act (NEPA) before approving any major federal action that may have a significant effect on the human environment. The Shasta-Trinity National Forest (STNF) has determined that NEPA compliance for the proposed Trinity 1-8 Mining Operation (proposed action) will be achieved through the preparation of an Environmental Impact Statement (EIS).

This scoping report was prepared by North State Resources, Inc. (NSR) to assist the STNF in determining the scope of the EIS. “Scope” means the alternatives, environmental issues, and effects to be analyzed as well as the level of detail required.

Public participation is an essential part of scoping under NEPA. The scoping process is open to the public, state and local governments (including tribal governments), and affected federal agencies. Scoping continues throughout the NEPA process, providing a means of bringing together and identifying the concerns of affected federal, state, and local agencies; project proponents; and interested stakeholders in an open and objective environment.

The objectives of the scoping process are to:

- identify the concerns of the affected public and agencies;
- facilitate an efficient process for preparing the EIS;
- define the alternatives and issues that will be examined in detail in the EIS and those that will require less analysis because they cause no concern or are not substantive; and
- assist in producing a comprehensive EIS that thoroughly analyzes all pertinent issues.

One of the STNF’s responsibilities as a federal land management agency is to facilitate and administer the orderly exploration, development, and production of mineral and energy resources on National Forest System lands. If approved, the proposed action would be authorized by the STNF under federal mining laws. The federal mining laws (30 USC 22) state that:

Except as otherwise provided, all valuable mineral deposits in lands belonging to the United States, both surveyed and unsurveyed, shall be free and open to exploration and purchase...

Section 3812.1 of the Code of Federal Regulations (CFR) states:

Whatever is recognized as a mineral by the standard authorities, whether metallic or other substance, when found in public lands in quantity and

quality sufficient to render the lands valuable on account thereof, is treated as coming within the purview of the mining laws.

II. Summary of Scoping Process and Opportunities for Public Involvement

The following is a summary of the scoping and public involvement process to date:

- | | |
|----------------|---|
| April 22, 2004 | The STNF sent a letter to interested parties inviting participation in the public scoping process. The scoping letter provided an address to which comment letters could be sent and announced an informational and public comment meeting to be held on May 13, 2004, at the California Department of Forestry and Fire Protection (CDF) conference facility in Weaverville, California. A copy of the scoping letter is contained in Appendix A. |
| May 4, 2004 | The STNF published a Notice of Intent (NOI) to prepare an EIS on the proposed action in the Federal Register on May 4, 2004. The NOI states that the proposed mining operation would total approximately 22 acres in the vicinity of the Big East Fork and the mainstem of Canyon Creek in Trinity County, California. The NOI also describes potentially significant impacts from the project anticipated by the STNF. In addition, the NOI describes the scoping process to be followed and requests comments from agencies and the public. A copy of the NOI is contained in Appendix A. |
| May 13, 2004 | A public scoping meeting was held at the CDF conference facility in Weaverville. Notice of the meeting was published in the Federal Register, and in two local newspapers, the <i>Trinity Journal</i> and the <i>Redding Record-Searchlight</i> . The purpose of the meeting was to describe the proposed action and to solicit comments from members of the public. The public meeting was facilitated by Jan Ford, an FS meeting facilitator, and recorded by Darlene Roberson, a certified court reporter. Questions from the public were answered by the project proponents, Gloria Marshall and Cullen Thomas, and by the following FS personnel: Joyce Andersen, District Ranger; James DeMaagd, Geologist and Certified Mineral Examiner; Michael Mitchell, Resource Planner and Project Leader; Sam Frink, Environmental Planner; and Larry McLean, Minerals Administrator. |

An informational page describing the proposed action was posted on the STNF's web site in May 2004 (<http://www.fs.fed.us/r5/shastatrinity/projects/trinity-1-8.shtml>).

A dedicated phone line was created to receive verbal comments.

III. Review and Organization of Scoping Comments

Comments were submitted to the STNF via written correspondence, e-mail, petitions, telephone, and oral comments presented at the public scoping meeting.

NSR used a multi-step process to identify issues of public concern. First, the scoping comments received by the STNF were sorted by type of submittal. For tracking purposes, each type of submittal was assigned a unique file identification label and each individual letter or other submittal was assigned a unique number in the order the letters were reviewed and processed. To preserve the originals, the submittals were then scanned and saved in a digital format (Adobe pdf). Next, spreadsheets were created for each type of submittal, with columns for the names and addresses of the commenters and for the various issue areas typically addressed in an FS EIS. The names of the commenters and, if available, their addresses, were entered into the spreadsheets to create a mailing list. An NSR environmental analyst then coded the specific comments in each submittal and entered the coding on the spreadsheet according to issue area.

Types of Submittals

The types of scoping submittals and the file identification labels assigned to them are as follows:

- Individual letters from government agencies and tribes (AC).
- Individual letters from non-governmental organizations (NGOs). All NGOs responding were either non-profit environmental or conservation organizations.
- Individual letters from members of the public (PC).
- Oral comments at the public scoping meeting (TR).
- Form letters sent via the Working Assets web site (WA). Working Assets is a telephone company that provides opportunities for citizen action, such as the ability to send a form letter via the web site to comment on a particular issue. Except for the signatures, the Working Assets form letters were identical to one another.
- Petitions (P). Petitions opposing the project were circulated by the Canyon Creek Coalition.
- Comments made via a dedicated telephone voice mail box at the Weaverville Ranger District (PH).

Table 1 shows the number of responses for each submittal type.

Table 1. Number of Responses per Submittal Type

Submittal Type	Number of Responses
Individual letters from agencies and tribes	1
Individual letters from NGOs	14
Individual letters from members of the public	158
Oral comments at public scoping meeting	25
Working Assets form letter	1,506
Petition signatures	1,258
Telephone comments	412
Total Submittals	3,255

Table 2 summarizes the locations of the commenters who indicated the cities in which they reside.

Table 2. Locations of Commenters

	North State Counties ¹	Other California	Outside California	Unknown
NGOs	9	4	1	
Petitions	914	219	36	89
Public letters	105	35	7	11
Tribal letter	1			
Public scoping meeting	5			20
Working Assets	70	1,431	5	
Phone comments	5	127		380

¹Humboldt, Mendocino, Siskiyou, Shasta, and Trinity Counties

Identification of Specific Comments and Issue Spreadsheets

All scoping letters and other submittals were reviewed to identify specific comments. For this process, comments were defined as specific issues, questions, and concerns related to the proposed action. Each individual comment was assigned an alpha identifier. For example, the first comment in a letter from a member of the public was labeled “A,” the second was labeled “B,” etc. In some cases, several comments were grouped together in such a way that it was not possible to assign them a single alpha identifier; in these cases, more than one identifier was assigned.

As described above, Excel spreadsheets were created for each submittal type to indicate the issues contained in each scoping submittal. The first columns of the spreadsheets contain the name of each commenter. The remaining columns are for the issue areas likely to be addressed in the EIS. These issue areas were determined using the standard EIS outline used by the FS. The issue areas are as follows:

- Purpose and Need of Project
- Project Description and Alternatives
- Land Use
- Geology, Fluvial Geomorphology, and Soils
- Water Resources
- Water Quality
- Fishery Resources
- Vegetation, Wildlife, and Wetlands
- Recreation
- Socioeconomics, Population, and Housing
- Tribal Trust
- Cultural Resources
- Air Quality
- Environmental Justice
- Hazardous Materials
- Noise
- Public Services, Utilities, and Energy
- Visual Resources/Aesthetics
- Transportation and Traffic Circulation
- Cumulative Impacts
- Scoping
- Other Issues

Copies of the coded comment letters and other scoping submittals are provided in the following appendices:

- Appendix B provides copies of the coded individual letter from agencies and tribes and the corresponding spreadsheet;
- Appendix C provides copies of the coded individual letters from NGOs and the corresponding spreadsheet;
- Appendix D provides copies of the coded individual letters from members of the public and the corresponding spreadsheet;
- Appendix E provides a copy of the coded transcript from the public scoping meeting and the corresponding spreadsheet;
- Appendix F provides a copy of the coded Working Assets form letter and the corresponding spreadsheet;
- Appendix G provides copies of the petitions circulated by Canyon Creek Coalition and the corresponding spreadsheet; and
- Appendix H provides the spreadsheet for the telephone log created by the STNF.

IV. Representative Scoping Comments

Key or significant issues are intended to form the basis of the NEPA analysis. In other words, they define the scope of the analysis. Once defined, the key issues in conjunction with the purpose of and need for the proposed action will govern the range of reasonable alternatives that will be considered in the EIS.

The following section provides representative comments identified in the comment letters and other submittal types. For the most part, these comments are direct quotes from the submittals, although some of them have been slightly paraphrased for clarity. These comments are intended to assist the STNF in identifying the significant issues that will direct the development of a range of alternatives as well as the effects and mitigation measures to be analyzed in the EIS. NSR chose to include specific scoping comments in more than one issue area if necessary to appropriately consider the complete meaning of the comment.

Purpose of and Need for Project

The following comments concern the purpose of and need for the project:

- The FS should refrain from a narrowly defined “purpose and need for action” as this would limit the range of alternatives for the proposed project.

Project Description and Alternatives

The following comments concern the project description and alternatives:

Project Description

- The proposed project should comply with all visual quality standards. The proposed 40-foot buffer between the proposed project and Canyon Creek Road would be inadequate.
- The visual buffer between the proposed project and Canyon Creek Road should be at least 100 feet.
- Does the proposed project include fish screens?

Alternatives

- There should be a full range of reasonable alternatives, including the No Action Alternative to the proposed mining operation.
- The NEPA document should evaluate alternatives to the proposed mining term of 25 years.

- The NEPA document must include a full range of reasonable alternatives to the proposed action, including but not limited to an alternative that would not approve surface disturbing activities until it is determined that the proposed project is a reasonable venture.
- The NEPA document must consider an alternative that would prevent the methylation of elemental mercury, and alternatives that would absolutely bar the potential release of mercury into the environment.
- The NEPA document should include an alternative that does not impact visual resources.
- The NEPA document should include an alternative that does not impact any portion of the riparian zone.
- The NEPA document needs to include an alternative that would not impact recreation activities.

Land Use

The following comments concern the potential effects of the proposed action on land use:

- The NEPA document should evaluate the impacts of the proposed project on public land use.
- To what level will public access to public land be limited during mining operation?
- If the proposed project is approved, the public will be denied access to public land for approximately 25 years.
- The NEPA document needs to evaluate the potential impacts to residences that occur within the project vicinity.
- The proposed project has the potential to impact the Buddhist Center – Rigdzin Ling.

Geology, Fluvial Geomorphology, and Soils

The following comments concern the potential effects of the proposed action on geology, fluvial geomorphology, and soils:

Erosion and Sedimentation

- The proposed project would take place in an area of steep slopes and geological instability.
- Storm events have the potential to cause landslides within the proposed project area.
- The scale of the proposed project, the area's topography and unstable geology will lead to sediment discharges into Canyon Creek and Trinity River.
- Timber removal will cause erosion.

Soils

- The removal of 1.5 million tons of topsoil and subsoil cannot be mitigated to less than significant.

Water Resources

The following comments concern the potential effects of the proposed action on water resources:

Water Quantity

- The NEPA document should evaluate the water resource impacts of drawing up to 300,000 gallons of water from the Big East Fork of Canyon Creek.
- The NEPA document should fully disclose the loss of water from Canyon Creek and Trinity River due to mining operations and provide how this loss of water will be mitigated.
- The NEPA document needs to evaluate the impacts of withdrawing water from the Big East Fork of Canyon Creek during all seasons of the year.
- The water diversion required for the proposed project would induce impacts to the already impacted Trinity River, of which flows are only 10% of normal.
- Water resource monitoring should occur during all stages of the proposed project.
- A hydrograph of the East Fork of Canyon Creek should be established in terms of flow.

Flooding

- Project implementation has the potential to flood homes below the proposed project site.

Water Quality

The following comments concern the potential effects of the proposed action on water quality:

Settling Ponds

- Evaluate the potential for the settling ponds to impact water quality.
- The NEPA document needs to disclose how the settling ponds will function during all seasons of the year, specifically, how these ponds will retain water from entering and polluting surface and ground water.

Water Temperature

- Canyon Creek and Trinity River water quality would be impacted from the proposed project diverting, using, and sending warmer water back into the stream.
- Removal of riparian and forest habitat will raise the temperature of Canyon Creek.

Mercury

- Master Petroleum proposes to mine as close as 100 feet from Canyon Creek, which could lead to leaching of highly toxic mercury into ground and surface water.
- The mercury that would sit in the settling ponds has the potential to become methylated when exposed to air over time.
- Previous mining activities which occurred in the Canyon Creek area have resulted in mercury and other leachates occurring within the alluvial floodplain of the creek. Project activities could reintroduce methylated mercury into the environment.
- Elemental and methyl mercury levels in Canyon Creek should be tested and monitored monthly during all stages of project implementation.

Other Water Quality

- The NEPA document needs to evaluate the impacts to water quality during a 100-year flood event.
- The NEPA document should evaluate the impacts on water quality as a result of increased turbidity, dissolved solids, water temperature, and decreased stream flow as a result of project implementation.
- The acid bearing rocks from former mining activities have the potential to be released as a result of project implementation. A result of disturbing acid bearing rocks may be the introduction of sulfuric acids into Canyon Creek and Trinity River through percolation of the settling ponds.
- What safeguards are in place to prevent runoff from entering Canyon Creek?
- The proposed buffer between the proposed project and Canyon Creek should be adequate so as not to impact the water quality.

Fishery Resources

The following comments concern the potential effects of the proposed action on fishery resources:

Fish Habitat

- The proposed project has the potential to impact anadromous fish habitat, specifically special-status fish species which occur within Canyon Creek.
- The Forest Service must fully describe how the proposed project will ensure that the habitat of Chinook salmon, coho salmon, steelhead trout, and other imperiled aquatic species is maintained and restored.

- The scale of the proposed project, its topography and the unstable geology of the area to be mined could lead to sediment discharges into Canyon Creek, a Trinity River fish spawning area, as well as spawning areas in the Trinity River.

Water Temperature

- Removal of up to 300,000 gallons of water from the Big East Fork of Canyon Creek would reduce a source of cold water which is critical for special-status fisheries and their habitat.
- The glacial water of the Big East Fork of Canyon Creek is from the coldest tributary remaining to the increasingly compromised Trinity/Klamath River fishery.

Water Quantity

- The NEPA document should evaluate the impacts of withdrawing water on the aquatic environment and anadromous fisheries.
- Permanent water quality impairment and significant decreases in stream flow (up to 300,000 gallons per day) would impact the already sensitive anadromous fishery during critical biological periods.

Mercury

- Evaluate the impacts to fisheries from increased mercury levels.

Barriers to Fish Passage

- The proposed project has the potential to have impacts on fish migration.

General Fish Issues

- The NEPA document must fully disclose all fish species that may be impacted by the proposed project, including all surveys and other methods used to assess population levels, trends and health.
- Baseline data as to aquatic populations needs to be collected.

Vegetation, Wildlife, and Wetlands

The following comments concern the potential effects of the proposed action on vegetation, wildlife, and wetlands:

Wildlife Habitat

- The NEPA document needs to analyze and describe habitat types that occur within the project vicinity (i.e., corridor habitat, breeding habitat, foraging habitat etc.) as well as the potential for significant impacts to special-status species.
- The NEPA document needs to evaluate the potential for habitat fragmentation.
- The existing Watershed Analysis states that previous mining activities have irreversibly altered riparian conditions in Canyon Creek.

- Riparian reserves provide habitat connectivity for both aquatic and terrestrial species. The Watershed Analysis fails to disclose where previous mining activities have irreversibly altered riparian land.
- The Watershed Analysis fails to disclose how riparian reserves would perform their function under further fragmentation.
- The proposed project would require the removal of creek side forest, including old growth Douglas firs.
- The NEPA document should address the impacts of water diversion and cumulative impacts to riparian habitat.
- The removal of forest vegetation has the potential to increase the temperature of the entire area.
- Previous mining sites within the proposed project area are only able to support manzanita and stunted digger pines.

Special-Status Wildlife Species

- The NEPA document must fully disclose all special-status species and other species that may be impacted by the proposed project, including all surveys and other methods used to assess population levels, trends and health.
- The proposed project has the potential to impact the federally threatened northern spotted owl and the proposed for listing Pacific fisher; therefore, the NEPA document must fully analyze and disclose the potential effects of the proposed project on these species.
- The NEPA document needs to evaluate if the proposed project has the potential to drive special-status species into extinction and if the proposed project would be consistent with the requirements of species recovery.
- The test pit area occurs within an LSR, which is known to support the northern spotted owl.
- Removal of spotted owl habitat should only be done under Northwest Forest Plan guidelines.

Non Special-status Wildlife Species

- Baseline data as to terrestrial populations needs to be collected.

Plants

- The NEPA document must fully analyze and disclose the potential impacts to plant species. Plant species must be surveyed in appropriate seasons.
- The NEPA document needs to include a vegetation analysis.

Non-Native and Invasive Plant Species

- The NEPA document needs to disclose reclamation measures that will mitigate the spread of non-native and invasive plant species.

Recreation

The following comments concern the potential effects of the proposed action on recreation:

Wilderness

- The proposed project is inconsistent with land use activities associated with public forest lands and the Trinity Alps Wilderness area.
- The proposed project may set a precedent for acceptable activities on public land, specifically within the near vicinity of a designated Wilderness area.
- The NEPA document needs to evaluate the potential for significant impacts on the scenic and ecological beauty of the Trinity Alp Wilderness area and its visitors.
- The proposed project has the potential to impact sought after solitude by Canyon Creek and Trinity Alps Wilderness users.
- Several respondents are concerned that the proposed project requires the removal of mature second-growth and remnant old growth trees adjacent to the Trinity Alps Wilderness.
- The mine proposal is located in close proximity to the Canyon Creek Trailhead.
- The proposed project has the potential to impact the recreational experience of thousands of annual visitors to the Trinity Alp Wilderness who use the Canyon Creek trailhead, the single most popular entrance to the largest and most scenic of northwest California's protected Wilderness Areas.
- Canyon Creek has the most visited trailhead users in the County, with over 1,000 Wilderness Permits issued in 2002. By the USFS count, over 3,000 people used Canyon Creek road in 2003; this is the most recent count taken.
- The NEPA document should provide an account of what constitutes the most "cost-effective" and environmentally-sound method for mining and restoration of the proposed project site and maintenance of wilderness values.

Wild and Scenic River Eligibility

- The proposed project has the potential to impact Canyon Creek's eligibility as a Wild and Scenic River.
- As proposed, this project would remove about 1.5 million tons of soil and gravel on at least 22 acres of public land, for up to 25 years, directly adjacent to Canyon Creek, an eligible Wild and Scenic River.

- The NEPA document needs to address the protection of and alternatives that do not impact Wild and Scenic River values.

Recreational Activities

- Canyon Creek is used and enjoyed by many for recreation activities, such as swimming, canoeing, camping, hiking, and fishing. The NEPA document needs to address the potential impacts to these activities.

Socioeconomics, Population, and Housing

The following comments concern the potential effects of the proposed action on socioeconomics, population, and housing:

Socioeconomics

- The NEPA document needs to include an economic analysis to quantify the potential for loss of quality of life to Trinity County.
- The NEPA document needs to provide an economic analysis of environmental costs to the fishing industry (both commercial and sport) and local tourism.
- The NEPA document should analyze the economic impacts of the environmental costs to local tourism due to the blight that would be generated by this 25-year long proposed project.
- The relatively undisturbed, non-industrial and natural atmosphere of Canyon Creek adds to the economic yield generated by tourism in Trinity County. These values will be affected by the traffic generated by the proposed project.

Tribal Trust

The following comments concern the potential effects of the proposed action on Tribal Trust issues:

- The NEPA document needs to evaluate potential impacts to downstream Hoopa and Yurok Indian tribes.
- Restored fisheries in the Trinity are vital to the economic and cultural strength of the Hoopa and other tribes within the region.
- The proposed project has the potential to impact Native American access to cultural areas within the project vicinity.

Cultural Resources

The following comment concerns the potential effects of the proposed action on cultural resources:

- A cultural survey needs to be conducted for the proposed project.

Air Quality

The following comments concern the potential effects of the proposed action on air quality:

Particulate Matter

- The NEPA document needs to evaluate the potential for significant impacts to air quality due to soil and vegetation disturbance and increased truck traffic on Canyon Creek Road.
- Operation of project machinery will create dust; this has a potential to impact air quality.
- Stockpiled overburden should be maintained with a cover crop to reduce windblown soil.

Asbestos, Mercury, and Arsenic

- The proposed project lies in a region of ultramafic rock formations and may have asbestos issues.
- The process of mining for gold has the potential to release mercury and arsenic which has the potential to pollute the air.

Other Air Pollutants

- Transportation of material to and from the proposed project site along Canyon Creek has the potential to impact air quality and thus Canyon Creek users and nearby residences.

Environmental Justice

The following comment concerns the potential of the proposed action to affect environmental justice issues:

- The NEPA document should analyze the economic impacts of the environmental costs to local tourism due to the blight that would be generated by this 25-year long proposed project.

Hazardous Materials

The following comment concerns the potential of the proposed action to create hazardous materials effects:

- The proposed project lies in a region of ultramafic rock formations and may have asbestos issues.

Noise

The following comments concern the potential of the proposed action to create noise effects:

Noise from Mining Operations

- The NEPA document needs to disclose what noise levels will occur during operation hours of the proposed project.

Traffic Noise

- The NEPA document needs to evaluate the potential for noise impacts as a result of increased truck traffic on Canyon Creek Road.

Disturbance to Wildlife

- The NEPA document needs to evaluate the proposed project's potential to impact wildlife as a result of elevated noise during project operation.
- The noise created by the proposed project has the potential to impact bat and moth species.

Disturbance to Wilderness Users

- The proposed project mining equipment has the potential to create noise pollution and impact the serene quality within the Canyon Creek and Trinity Alps Wilderness Area.
- The proposed project mining equipment has the potential to create noise pollution and therefore have an impact on recreation activities along Canyon Creek.

Disturbance to Nearby Residences

- What are the potential noise impacts to residences that occur in the vicinity of the proposed project site?

Public Services, Utilities, and Energy

There were no comments concerning public services, utilities, and energy.

Visual Resources/Aesthetics

The following comments concern the potential effects of the proposed action on visual resources and aesthetic values:

- The NEPA document needs to evaluate the potential impacts on visual and scenic values of Canyon Creek Road being designated as a county Scenic Roadway.

- The NEPA document should evaluate an adequate visual buffer surrounding the proposed project area.
- The NEPA document needs to evaluate the potential for blight occurring as a result of project implementation near the vicinity of a wilderness trailhead.

Transportation and Traffic Circulation

The following comments concern the potential effects of the proposed action on transportation and traffic circulation:

Traffic Circulation

- The NEPA document needs to evaluate the potential impacts on transportation and traffic circulation within the project area.
- The NEPA document needs to evaluate the potential for significant impacts due to road building and increased truck traffic on Canyon Creek Road.
- The NEPA document must address how traffic on the roads to a popular wilderness trailhead for Canyon Creek will be affected. What changes in traffic patterns are to be expected?

Road Building and Maintenance Costs

- What road maintenance will be required as a result of the project? Who will bear those costs?
- Trinity County already has budget issues with regards to road maintenance. How much heavy equipment and transportation of earth can Canyon Creek Road and the old bridges support?
- Trinity County residents should not be responsible for providing the proposed project with new truck crossing and speed limit road signs.
- An official evaluation by the Trinity County Road Department as to the potential impacts and cost of repairs needs to take place prior to project approval.

Safety

- The increased truck traffic as a result of project implementation has the potential to be a safety hazard to other users of Canyon Creek Road (i.e., pedestrians, school children, neighborhood commuters, etc.).
- The NEPA document needs to evaluate potential hazards and conflict between non-motorized traffic and mine equipment and haul trucks within the vicinity of the proposed project.

Other

- The increased truck traffic and excavation of the project area have the potential to affect the stability of Canyon Creek walls.

Cumulative Impacts

The following comments concern the potential for the proposed action to result in cumulative impacts:

Cultural Resources

- The proposed project needs to evaluate the cumulative impacts to cultural resources.

Mining, Roads, Logging, Recreation, Water Quality, and Wildlife

- The NEPA document needs to include a full cumulative impacts analysis of all past, present and future foreseeable actions within Canyon Creek and the Trinity River system in terms of mining, roadbuilding, logging, recreation, water quality, aquatic and terrestrial wildlife.

Riparian Habitat

- The NEPA document should address the impacts of water diversion and cumulative impacts to riparian habitat.

Mercury

- Previous mining activities which occurred in the Canyon Creek area have resulted in mercury and other leachates occurring within the alluvial floodplain of creek. Project activities could re-introduce methylated mercury into the environment.

Mining

- The test pit must be considered as a part of the NEPA documentation, analysis, and disclosure of the cumulative impacts of the proposed project.
- The Forest Service must disclose and analyze the cumulative effects of the proposed project in combination with the impacts of historical mining, current mining, and projected mining activities.
- Because of the extent of historic and recent mining along Canyon Creek and the possible implementation of this and future similar proposals, an analysis of overall present and predictable future cumulative effects must be made and displayed.
- The scope and magnitude of the project outlined in the scoping document combined with past impacts in the watershed from logging, grazing, road building, and recreation will certainly result in significant adverse environmental impacts.

- The connected actions and the past, present and future activities on federal and adjacent private land must be considered in the NEPA document. They need to be considered as they relate to all issues and resources of concern.

Traffic

- The connected actions and the past, present and future activities on federal and adjacent private land must be considered in the NEPA document. They need to be considered as they relate to road building, renovation and upgrading.
- The NEPA document needs to include a full cumulative effects analysis of all past, present and future foreseeable actions within Canyon Creek and the Trinity River system in terms of roadbuilding.
- Roads and access management are the highest priority for addressing watershed impacts.

Forest Plan

Policy Issues

- Logging activities associated with the proposed project may or may not be within an inventoried roadless area; however, these logging activities may be located directly adjacent to these roadless areas.
- The Forest Service needs to integrate the Aquatic Conservation Strategy and accompanying standards and guidelines in the LRMP into the NEPA document.
- The NEPA document needs to disclose how the removal of water from the East Fork of Canyon Creek will be consistent with the Aquatic Conservation Strategy.
- The volume of water proposed to be withdrawn from the East Fork of Canyon Creek needs to be in compliance with the federal and state Wild and Scenic Rivers program and the Aquatic Conservation Strategy.
- The Forest Service must fully describe how the proposed project will ensure that the goals and objectives of the Aquatic Conservation Strategy are achieved.
- The Forest Service must fully describe how the proposed project will ensure that riparian reserves are protected, the goals and objectives of the Aquatic Conservation Strategy are achieved, and the habitat of Chinook salmon, coho salmon, steelhead trout, and other imperiled aquatic species is maintained and restored.
- LSR objectives, standards, and guidelines for protection of late-successional and old-growth habitat and associated species must be addressed in the NEPA document.
- The NEPA document needs to address how the proposed project will be consistent with the Trinity River Restoration Program and the federal and state Wild and Scenic River program.

- Removal of spotted owl habitat should only be done under Northwest Forest Plan guidelines.

Resource Issues

- The scoping document discloses that the removal of timber and soils and operation of the proposed project would occur within 150 feet of Canyon Creek. Federal requirements call for a riparian set back of at least 300 feet.
- The existing watershed analysis for the proposed project is too general and is inadequate for the scope of the project; a new watershed analysis should be conducted for the NEPA document.
- The watershed analysis for Canyon Creek should be incorporated into the NEPA document for the proposed project.
- The watershed analysis should be complete and updated to account for the effects of the proposed project.
- A full-year watershed analysis should be conducted for the East Fork of Canyon Creek.

Other Regulatory Requirements

California Endangered Species Act

- How will the proposed project affect the California goals for recovery of the coho salmon?
- The NEPA document needs to analyze, and disclose the potential for impacts to salmonid recovery.

Federal and State Clean Air Acts

- The Forest Service should complete an application with the North Coast Unified Air Quality Management District for a permit as required by the Asbestos ATCM of 2002.

Clean Water Act

- The NEPA document needs to disclose how the proposed project would comply with the Clean Water Act.
- The proposed project needs to be in full compliance with the Regional Water Quality Control Board.

Trinity River Restoration Program – Bureau of Reclamation

- The proposed project has the potential to have significant impacts on the Trinity River Restoration Program.
- The NEPA document needs to address how the proposed project will be consistent with the Trinity River Restoration Program and the federal and state Wild and Scenic River program.

- The proposed project is inconsistent with the Trinity River Restoration Program.
- The fisheries of the Trinity River, potentially worth millions of dollars annually, are the focus of a multi-generation federal project to restore flows and ecological health to the Trinity River which has cost at least \$150 million to date.

Miscellaneous

- Permitting the proposed project has the potential to be in direct conflict with the efforts of federal, state, and local agencies.

Other Comments

The following comments concern “other” issues:

Human Health

- The NEPA document should include a full health risk assessment for the proposed project; it should evaluate the potential for impacts from introducing suspended mercury in the aquatic environment, and should fully disclose all of the health risks associated with ingesting water, fish, plant material, or in any way being exposed to elevated levels of mercury.
- The proposed mining project has the potential to impact the health of people who live, work, and recreate within the vicinity of the proposed project.
- The NEPA document must fully analyze the methylated and elemental mercury that may be produced as a result of project implementation and disclose the risks to human and animal health, including reproductive success and nervous system development.
- The proposed project has the potential to cause health risks, such as neurological effects due to mercury exposure, the most vulnerable population being pregnant women and children.

Monitoring

- The NEPA document should disclose all aspects of project monitoring measures.
- Continual project monitoring must determine that water quality in the Trinity River is not impacted as a result of project implementation.

Reclamation Bond

- The reclamation bond should be both liquid and adequate enough to cover all foreseen and unforeseen reclamation activities.
- The proposed reclamation bond is highly unrealistic and insufficient. Reclamation of the proposed project should not become the responsibility of taxpayers.

Site Rehabilitation

- Without a vast amount of funding for site rehabilitation and a multi-decade commitment, it is unlikely that the project site can be adequately rehabilitated.
- The NEPA document needs to include a clear and specific reclamation plan.
- Other mining sites in the Canyon Creek area have been unable to recover from mining activities. How will reclamation activities for this proposed mining project differ from past mining operations?
- The Blue Bird Mine illustrates evidence of inability to rehabilitate through reclamation activities.
- The NEPA document needs to address the potential inability of site-cleanup of hazardous materials.
- The reclamation description needs to include detailed information on the complete restoration of the site and bioremediation of mercury and other leachates in the soil.

Spiritual Concerns

- The proposed project has the potential to impact those who visit Canyon Creek for spiritual and cultural purposes.

Logging

- The NEPA document needs to analyze the potential affects from logging the proposed project site.

Scoping Letter/Notice of Intent

The following comments concern the scoping letter and the NOI:

- The full scope of the proposed project disclosed in the NOI is insufficient; the NEPA document needs to disclose the full scope of the proposed project.
- The scoping letter provides minimal information and fails to adequately describe the proposed project, its purpose and need, or the decision being made by the Forest Service.
- The Public Scoping Letter was not clear on the location of the proposed mining pits.

Oppose Project

Most commenters indicated their opposition to the proposed project for a variety of reasons.

Mailing List

Many commenters indicated a desire to receive project updates.

V. Issues Derived from Scoping Comments

This section of the Scoping Report provides a list of issues derived from the scoping comments on the proposed action. The FS defines issues as areas of discussion, debate, or dispute about the environmental effects of a proposed action. Although some of the issues would not be considered significant under NEPA, they can be used to determine the scope of the EIS as well as the level of detail required.

Like the representative scoping comments listed in Section IV, the issues listed below are organized by the resource areas typically addressed in an EIS prepared by the FS.

Land Use

The proposed action could restrict access to public land.

The proposed action could affect residences in the project vicinity.

Geology, Fluvial Geomorphology, and Soils

The proposed action could lead to sediment discharges into Canyon Creek and, ultimately, the Trinity River.

The proposed action could increase erosion.

Water Resources

The proposed action could result in changes to the flow regime of Canyon Creek and the Trinity River.

The proposed action could result in flooding of homes below the project site.

Water Quality

The proposed action could cause increased sediment in Canyon Creek and the Trinity River.

The proposed action could cause groundwater pollution as well as surface water pollution in Canyon Creek and the Trinity River.

The proposed action could cause higher water temperatures in Canyon Creek and the Trinity River.

Fishery Resources

The proposed action could affect habitat for special-status fish species occurring in Canyon Creek and the Trinity River.

The proposed action could create a barrier to fish passage.

The proposed action could result in fish becoming entrained in the water diversion pipeline.

Vegetation, Wildlife, and Wetlands

The proposed action could result in fragmentation of habitat for wildlife species.

The proposed action could result in the removal of old-growth forest.

The proposed action could affect special-status species (e.g., northern spotted owl, Pacific fisher, plant species).

The proposed project could result in the spread of non-native and invasive plant species.

Socioeconomics, Population, and Housing

The proposed action could have an economic effect on the fishing industry.

The proposed action could have an economic effect on Trinity County due to a loss of tourism.

Tribal Trust

The proposed action could affect the trust assets of the Hoopa and Yurok tribes.

Cultural Resources

The proposed action could affect cultural resources in the project area.

Air Quality

The proposed action could affect air quality.

Hazardous Materials

The proposed action could result in asbestos emissions.

Noise

The proposed action could cause noise impacts to nearby residences.

Noise from the proposed action could affect wilderness values in the Trinity Alps Wilderness.

Noise from the proposed action could affect recreationists in the Canyon Creek area.

Noise from the proposed action could disturb wildlife.

Visual Resources/Aesthetics

The proposed action could affect scenic values in the Trinity Alps Wilderness.

The proposed action could affect scenic values along Canyon Creek Road.

Transportation and Traffic Circulation

The proposed action could affect traffic circulation in the project vicinity.

The proposed action could contribute to the deterioration of roads and bridges in the project vicinity.

Increased truck traffic as a result of the proposed action could pose a safety hazard to other users of Canyon Creek Road.

Cumulative Impacts

The proposed action could result in cumulative impacts related to past mining activities in the project vicinity.

The proposed action could result in cumulative impacts related to loss of riparian habitat.

The proposed action could result in cumulative impacts related to cultural resources.

The proposed action could cause soil erosion or slope failure, which could cause an increase in sediment in the streams, contributing to cumulative effects to water quality.

Other Considerations for the EIS

The following are other issues that will need to be addressed as part of the NEPA process.

Forest Plan

The proposed action could affect roadless areas.

The proposed action could be inconsistent with the Aquatic Conservation Strategy.

The proposed action could be inconsistent with guidelines for riparian reserves.

The proposed action could be inconsistent with guidelines for late successional reserves.

The proposed action could affect the eligibility of Canyon Creek to be designated a Wild and Scenic River.

The proposed action could be inconsistent with Northwest Forest Plan guidelines for northern spotted owl habitat.

Other Regulatory Requirements

The proposed action could conflict with California goals for the recovery of coho salmon under the California Endangered Species Act.

The proposed action could be inconsistent with the Clean Water Act.

The proposed action could conflict with the efforts of the U.S. Bureau of Reclamation's Trinity River Restoration Program to restore the Trinity River.

Other Issues

The proposed action could result in human health affects from mercury.

The reclamation bond for the proposed action may be insufficient to cover required reclamation activities.

The reclamation plan for the proposed action may not be successful in restoring the mining site.

The proposed action could affect those who visit Canyon Creek for spiritual purposes.

